

1 DAVID R. ZARO (BAR NO. 124334)
TED FATES (BAR NO. 227809)
2 ALLEN MATKINS LECK GAMBLE
MALLORY & NATSIS LLP
3 515 South Figueroa Street, Ninth Floor
Los Angeles, California 90071-3309
4 Phone: (213) 622-5555
Fax: (213) 620-8816
5 E-Mail: dzaro@allenmatkins.com
tfates@allenmatkins.com
6

7 Attorneys for Receiver
THOMAS A. SEAMAN

8 **UNITED STATES DISTRICT COURT**
9 **NORTHERN DISTRICT OF CALIFORNIA**
10 **SAN JOSE DISTRICT**

11 SECURITIES AND EXCHANGE
12 COMMISSION,

13 Plaintiff,

14 vs.

15 SMALL BUSINESS CAPITAL CORP.;
16 MARK FEATHERS; INVESTORS PRIME
FUND, LLC; and SBC PORTFOLIO
17 FUND, LLC,

18 Defendants.

Case No. CV12-03237

**RECEIVER'S ADMINISTRATIVE
MOTION FOR PAYMENT OF LOAN
SERVICING COSTS FOR OCTOBER 2014**

Ctrm: 4 - 5th Floor
Judge: Hon. Edward J. Davila

1 Thomas A. Seaman ("Receiver"), the Court-appointed permanent receiver for Small
 2 Business Capital Corp. ("SB Capital"), Investors Prime Fund, LLC ("IPF"), SBC Portfolio
 3 Fund, LLC ("SPF"), and their subsidiaries and affiliates (collectively, "Receivership Entities"),
 4 hereby submits this Application for Payment of Loan Servicing Costs for September 2014. In its
 5 order entered on August 7, 2014, the Court authorized the Receiver to submit monthly bills for
 6 loan servicing costs, starting with August 2014. Docket No. 936.

7 The total cost of servicing the loan portfolios for October 2014 was \$25,438.50. A
 8 complete list of each task performed is attached as Exhibit A. During October, servicing fees
 9 continued to be significantly less than the budget but increased from the prior month as a result of
 10 borrower 3-AM's bankruptcy and related proceedings. The Receiver's agent's attendance was
 11 required at the motion to dismiss, which was held in Baltimore and was granted. No new defaults
 12 occurred and therefore no other borrower site visits were required in October. The weighted
 13 average hourly rate was \$136.

14 Based on the foregoing, the Receiver respectfully requests Court approval and authority to
 15 pay the October 2014 loan servicing costs of \$25,438.50.

16 Dated: November 20, 2014

ALLEN MATKINS LECK GAMBLE
 MALLORY & NATSIS LLP

18 By: /s/ Ted Fates

19 TED FATES
 Attorneys for Receiver
 Thomas A. Seaman

EXHIBIT A

Thomas Seaman Company
 3 Park Plaza
 Suite 550
 Irvine, CA 92614

Invoice submitted to:
 Thomas Seaman, Receiver for SBC
 3 Park Plaza
 Suite 550
 Irvine, CA 92614

November 20, 2014

Invoice #11172

Professional Services

		<u>Hrs/Rate</u>	<u>Amount</u>
	<u>Loan Servicing</u>		
10/1/2014 KJ	Loan Servicing Posted loan payments, updated 1502 & other loan participant reports, correspondence with borrowers, touched base with Rafael on pending matters, entered deposits. Updated tax return/financials tracker with borrowers who had forwarded financials requested, added info to file, and printed out for review.	2.00 135.00/hr	270.00
10/2/2014 KJ	Loan Servicing Posted loan payments, updated 1502 & other loan participant financial reports, & entered deposits.	1.40 135.00/hr	189.00
KJ	Loan Servicing Correspondence with borrowers re payoff letter requested, annual financial statement collection, & touched base with Rafael on pending matters.	1.10 135.00/hr	148.50
10/3/2014 KJ	Loan Servicing Posted loan payments, updated 1502 & other loan participant reports, correspondence with borrowers re payments, touched base with Rafael updating pending borrower matters, & entered deposits to the servicing financial reports.	2.00 135.00/hr	270.00
10/6/2014 KJ	Loan Servicing Posted loan payments received, updated 1502 & other loan participant reports, correspondence with borrowers, followed up with Rafael on pending matters, and entered deposits.	3.50 135.00/hr	472.50

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		<u>Hrs/Rate</u>	<u>Amount</u>
10/7/2014	KJ Loan Servicing Posted loan payments, updated 1502 & other loan participant reports, correspondence with borrowers, & entered deposits.	2.00 135.00/hr	270.00
10/8/2014	KJ Loan Servicing Posted loan payments, updated 1502 & other loan participant reports, correspondence with borrowers re prepayment penalties, & entered deposits.	2.00 135.00/hr	270.00
10/9/2014	KJ Loan Servicing Posted loan payments, updated 1502 & other loan participant reports, responded to borrower inquiries re returned payment, touched base with Rafael on payment issues, & entered deposits.	2.00 135.00/hr	270.00
10/10/2014	KJ Loan Servicing Posted loan payments, updated 1502 & other loan participant reports, correspondence with borrowers re financial statements needed for loan participants, touched base with Rafael on pending matters, entered deposits. Drafted payoff letter for One World Inn.	3.00 135.00/hr	405.00
10/14/2014	KJ Loan Servicing Posted loan payments, updated 1502 & other loan participant reports, correspondence with borrowers re financial statements needed, touched base with Rafael on pending matters, entered deposits.	3.00 135.00/hr	405.00
10/15/2014	KJ Loan Servicing Posted loan payments, updated 1502 & other loan participant reports, updated Rafael on pending payoffs & payment issues, & entered deposits to the servicing financial reports.	2.10 135.00/hr	283.50
	KJ Loan Servicing Ran and sent out monthly borrower statements for November loan payments.	1.10 135.00/hr	148.50
	KJ Loan Servicing Correspondence and follow up emails/calls to borrower re annual financial statements required.	0.80 135.00/hr	108.00
10/16/2014	KJ Loan Servicing Posted loan payments, updated 1502 & other loan participant reports, met with Rafael on pending matters, entered deposits.	2.20 135.00/hr	297.00
	KJ Loan Servicing Corresponded with borrowers re late payments and financial statement requirements.	0.80 135.00/hr	108.00
10/17/2014	KJ Loan Servicing Posted loan payments, updated 1502 & other loan participant reports, & entered deposits.	2.10 135.00/hr	283.50

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		<u>Hrs/Rate</u>	<u>Amount</u>
10/17/2014	KJ	2.00 135.00/hr	270.00
	KJ	0.90 135.00/hr	121.50
10/20/2014	KJ	4.50 135.00/hr	607.50
10/21/2014	KJ	2.70 135.00/hr	364.50
	KJ	1.30 135.00/hr	175.50
10/22/2014	KJ	1.70 135.00/hr	229.50
	KJ	2.80 135.00/hr	378.00
10/23/2014	KJ	2.90 135.00/hr	391.50
	KJ	2.10 135.00/hr	283.50
10/24/2014	KJ	3.30 135.00/hr	445.50

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		<u>Hrs/Rate</u>	<u>Amount</u>
10/24/2014	KJ Loan Servicing Emailed requests for tax returns/financial statements to all remaining borrowers in the portfolio. Updated tracking sheet re same.	2.70 135.00/hr	364.50
10/27/2014	KJ Loan Servicing Posted loan payments, updated 1502 & other loan participant reports, correspondence with borrowers, touched base with Rafael on pending matters, entered deposits.	2.90 135.00/hr	391.50
	KJ Loan Servicing Updated tax return/financials tracker with borrowers who had sent in required statements, added info to file, printed out for review.	2.60 135.00/hr	351.00
10/28/2014	KJ Loan Servicing Posted loan payments, updated 1502 & other loan participant reports, correspondence with borrowers, touched base with Rafael on pending matters, entered deposits.	2.00 135.00/hr	270.00
	KJ Loan Servicing Updated tax return/financials tracker with borrowers who had sent in statements requested, added info to file, and printed out for review.	2.70 135.00/hr	364.50
10/29/2014	KJ Loan Servicing Posted loan payments, updated 1502 & other loan participant reports, correspondence with borrowers, touched base with Rafael on pending matters, entered deposits.	3.20 135.00/hr	432.00
	KJ Loan Servicing Updated tax return/financial statement tracker with borrowers who had sent in required info, added info to file, and printed out for review.	1.80 135.00/hr	243.00
10/30/2014	KJ Loan Servicing Posted loan payments, updated 1502 & other loan participant reports, touched base with Rafael on pending matters, entered deposits. Began closing out servicing books for October.	3.20 135.00/hr	432.00
	KJ Loan Servicing Updated tax return/financial statements tracker with borrowers who had sent in info requested, added info to file, printed out for review.	2.10 135.00/hr	283.50
10/31/2014	KJ Loan Servicing Posted loan payments, updated 1502 & other loan participant reports, correspondence with borrowers, touched base with Rafael on pending matters, entered deposits. Continued with month end closing of servicing books.	2.80 135.00/hr	378.00
	KJ Loan Servicing Updated tax return/financials tracker with borrowers who had forwarded financials requested, added info to file, and printed out for review.	1.20 135.00/hr	162.00

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		<u>Hrs/Rate</u>	<u>Amount</u>
10/1/2014	MRF Loan Servicing Received multiple borrower payments for October, deposited, and made accompanying accounting entries.	1.10 60.00/hr	66.00
10/2/2014	MRF Loan Servicing Spoke with Sun-Fax Arco re October loan statement and payment amount. Faxed over statement.	0.30 60.00/hr	18.00
	MRF Loan Servicing Received required 2014 financial statements from loan borrowers and updated tracking re same. Corresponded with borrowers re additional financial statements needed and filed those received in applicable borrower's file.	1.60 60.00/hr	96.00
	MRF Loan Servicing Received borrower loan payments for October 2014, deposited, and made accompanying accounting entries to Quickbooks.	1.20 60.00/hr	72.00
10/3/2014	MRF Loan Servicing Received borrower loan payments for October, deposited checks, and entered accompanying accounting entries to Quickbooks.	1.20 60.00/hr	72.00
10/6/2014	MRF Loan Servicing Received borrower payments for October, deposited checks, and performed accompanying accounting entries to Quickbooks.	1.50 60.00/hr	90.00
10/7/2014	MRF Loan Servicing Deposited borrower payments received and made accompanying accounting entries to Quickbooks.	0.60 60.00/hr	36.00
10/8/2014	MRF Loan Servicing Received borrower payments for October, deposited, and performed accompanying accounting entries re same.	0.40 60.00/hr	24.00
	MRF Loan Servicing Responded to call from borrower re current principal balance and 2013 interest paid for their SB Capital loan. Followed up with borrower re financial statements received and financial statements still due.	0.40 60.00/hr	24.00
10/9/2014	MRF Loan Servicing Prepared payment and Fedex re retainer for HVS appraiser for the 3AM bankruptcy hearing. Corresponded with legal counsel and appraiser re same.	0.50 60.00/hr	30.00
	MRF Loan Servicing Deposited borrower payments received for the October 1 payment and made accompanying accounting entries to Quickbooks.	1.30 60.00/hr	78.00
10/10/2014	MRF Loan Servicing Deposited borrower payments received for October and made accompanying accounting entries to Quickbooks.	0.90 60.00/hr	54.00

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		<u>Hrs/Rate</u>	<u>Amount</u>
10/13/2014	MRF Loan Servicing Received directions from Rafael re information needed for the 3AM bankruptcy testimony. Gathered financial reports, appraisal information, and borrower documents to be used in support of counsel's motion to dismiss the bankruptcy.	0.70 60.00/hr	42.00
	MRF Loan Servicing Placed follow up phone calls and emails to loan borrowers re required financial reports and information needed in compliance with their loan covenants.	0.80 60.00/hr	48.00
10/14/2014	MRF Loan Servicing Deposited borrower payments received 10/14 & 10/15 and performed accompanying accounting entries to Quickbooks.	1.90 60.00/hr	114.00
	MRF Loan Servicing Phone call with Rafael re 3AM bankruptcy hearing, delinquent payment dates, and amounts.	0.30 60.00/hr	18.00
	MRF Loan Servicing Received call from Sunfax Arco re loan information and refinance offer from Chase Bank. Researched interest rate, amortization schedule, and prepayment penalty for his loan. Spoke with borrower re same.	1.10 60.00/hr	66.00
	MRF Loan Servicing Placed phone calls to borrowers re late loan payments for October. Spoke with El Leoncito re October payment and forwarded the statement along with an automatic payment authorization.	0.60 60.00/hr	36.00
	MRF Loan Servicing Received additional financial reports and tax returns from borrowers, filed in the applicable folder, and updated the tracking spreadsheet re same.	0.40 60.00/hr	24.00
10/15/2014	MRF Loan Servicing Responded to follow-up questions from Sunfax Arco re loan terms and possible refinance. Received ACH authorization from El Leoncito, verified mailing address, bank account, and future automatic payment date.	0.50 60.00/hr	30.00
	MRF Loan Servicing Received call from and discussed with Rafael G. outcome of 3AM LLC's bankruptcy dismissal hearing and date set for foreclosure auction. Spoke with Thomas Seaman re same.	0.30 60.00/hr	18.00
10/16/2014	MRF Loan Servicing Call with Rafael re potential sale of 3AM note & deed of trust. Emailed potential purchaser re same and to setup meeting.	0.40 60.00/hr	24.00

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		<u>Hrs/Rate</u>	<u>Amount</u>
10/16/2014	MRF Loan Servicing Performed follow-up checks on borrowers with property tax payment issues.	0.30 60.00/hr	18.00
	MRF Loan Servicing Called/emailed borrowers regarding collection of 2014 financial statements and 2013 tax returns. Filed and updated tracking for statements received. Followed up and clarified for borrowers who have sent partial financial statements.	1.10 60.00/hr	66.00
10/17/2014	MRF Loan Servicing Call from borrower re November's loan payment and change of statement/notification mailing address.	0.30 60.00/hr	18.00
10/20/2014	MRF Loan Servicing Deposited and made accompanying accounting entries for late payment received from borrowers and 504 FMLP payments received from Wells Fargo.	1.00 60.00/hr	60.00
	MRF Loan Servicing Called Genki Nishikigoi re returned October payment due to insufficient funds and arranged for makeup payment.	0.20 60.00/hr	12.00
	MRF Loan Servicing Met with Rafael to discuss loan servicing issues and was given instructions to update the borrower report re current servicing issues.	0.60 60.00/hr	36.00
	MRF Loan Servicing Discussed upcoming 3AM LLC foreclosure auction with Rafael and assisted with gathering documents needed re same.	0.30 60.00/hr	18.00
10/21/2014	MRF Loan Servicing Received update on items needed for Rafael re 3AM LLC foreclosure. Scheduled Rafael's flight for the December 2nd foreclosure sale re same.	0.50 60.00/hr	30.00
	MRF Loan Servicing Discussed outstanding servicing issues with Rafael re Bragato's property taxes and unpaid late charges.	0.40 60.00/hr	24.00
	MRF Loan Servicing Worked with Rafael and revised the email & letter templates re annual financial statement collection required of loan borrowers.	0.60 60.00/hr	36.00
	MRF Loan Servicing Discussed with Kristen Janulewicz the timeline & procedures for the annual financial statement acquisition from loan borrowers.	0.30 60.00/hr	18.00
	MRF Loan Servicing Pulled loan information, composed and sent financial statement acquisition emails to: Decorative Paving, Sunshine Hospitality, and	0.90 60.00/hr	54.00

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		<u>Hrs/Rate</u>	<u>Amount</u>
	Aung Oo (2 loans) re annual financial statement reviews.		
10/21/2014	MRF Loan Servicing Pulled borrower loan files for reference, composed, and sent letters re annual financial statements required. Composed letters for: Edge Partners, 47300 Kato LLC, Auto Spa Express, & Airport Blvd. Realty.	1.60 60.00/hr	96.00
10/22/2014	MRF Loan Servicing Met with Rafael to discuss progress made on financial statement acquisitions from loan borrowers. Follow-up discussion re Bragato's property taxes and outstanding late charges.	0.60 60.00/hr	36.00
	MRF Loan Servicing Sent follow up emails to multiple borrowers to clarify financial statements required and streamline the process for acquisition of same. Updated Kristen Janulewicz on timeline for acquisition.	0.60 60.00/hr	36.00
	MRF Loan Servicing Spoke with Genki Nishikigoi re NSF payment and receipt of replacement payment.	0.20 60.00/hr	12.00
10/23/2014	MRF Loan Servicing Pulled borrower loan details, composed financial statement request letters, and sent letters to multiple 504 and 7(a) borrowers re annual required financial statement acquisition.	4.90 60.00/hr	294.00
	MRF Loan Servicing Received ACH payment for Leticia Luna and made accompanying accounting entries to Quickbooks.	0.30 60.00/hr	18.00
10/24/2014	MRF Loan Servicing Sent additional financial request letters/emails to remaining 504 & 7(a) loan borrowers re annual required financial statements. Sent follow-up emails to borrower requesting clarification/more info. Updated tracking spreadsheet re same.	2.30 60.00/hr	138.00
10/27/2014	MRF Loan Servicing Received follow-up calls/emails from loan borrowers re annual financial statement collections. Sent emails to clarify and assist borrowers with forwarding of same. Filed financial statements received and updated tracking re same.	1.70 60.00/hr	102.00
	MRF Loan Servicing Received 7(a) borrower payments for November 1 payment date, deposited checks and made accompanying accounting entries to Quickbooks.	0.80 60.00/hr	48.00
10/28/2014	MRF Loan Servicing Pulled loan details, composed letters, and sent to multiple borrowers re annual financial statement collection.	1.40 60.00/hr	84.00

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		<u>Hrs/Rate</u>	<u>Amount</u>
10/28/2014	MRF Loan Servicing Received financial statements from multiple borrowers, sorted/filed, and updated tracking spreadsheet. Sent follow up emails to borrowers re additional financial statements required.	1.00 60.00/hr	60.00
10/29/2014	MRF Loan Servicing Received borrower payments for November, deposited, and made accompanying entries to Quickbooks.	0.60 60.00/hr	36.00
	MRF Loan Servicing Prepared backups and sent Fedex to Leticia Luna re loan covenant violation.	0.30 60.00/hr	18.00
	MRF Loan Servicing Received financial statements requested from multiple borrowers, sorted/filed, and updated tracking spreadsheet. Sent follow up emails to borrowers clarifying financial statements required.	1.30 60.00/hr	78.00
10/30/2014	MRF Loan Servicing Received emails/packages with annual financial statements from borrowers, filed, and updated tracking re same. Communicated with borrowers re financial statements received and remaining statements outstanding.	1.20 60.00/hr	72.00
	MRF Loan Servicing Met with Rafael G. & Kristen J. re current servicing issues with borrowers. Discussed accrued late fees, property tax payments, financial statement acquisition, and late borrower payments. Developed plan to cure the servicing issues with borrowers.	0.90 60.00/hr	54.00
	MRF Loan Servicing Received borrower payments for November, deposited, and made accompanying accounting entries to Quickbooks.	0.70 60.00/hr	42.00
10/31/2014	MRF Loan Servicing Received borrower payments for November, deposited, and made accompanying accounting entries to Quickbooks.	1.20 60.00/hr	72.00
	MRF Loan Servicing Received borrower financial statements requested re annual financial information collection. Filed, updated tracking, and followed up with additional borrowers re same.	0.60 60.00/hr	36.00
10/1/2014	RVG Loan Servicing Telephone conference with legal counsel (C. Hopkin), M. Williams (Receiver), A. Cooper (Foreclosure Trustee) re: 3 AM LLC's Motion to Dismiss Debtor's Bankruptcy/Appointment of a Receiver & Re-publishing Foreclosure Sale Date.	1.00 195.00/hr	195.00
	RVG Loan Servicing Followed up telephone call from G. Patel (borrower) re: Sunshine Hospitality's Refinance/Pre-payment penalty waiver. Responded to J. Giarla (borrower) email re: White Walls' Loan Payment/Property Tax	0.60 195.00/hr	117.00

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		<u>Hrs/Rate</u>	<u>Amount</u>
	Payment.		
10/2/2014	RVG Loan Servicing Reviewed & discussed with legal counsel (C. Hopkin) re: Verification/Authentication of Real Estate Appraisal/Rafael Garcia's Testimony as Custodian of Records on 3 AM LLC's. Telephone conference with legal counsel (C. Hopkin) & Jerod Byrd (appraiser) re: Verification/Authentication of the Real Estate Appraisal/Loan Documents on 3 AM LLC's Motion to Dismiss Debtor's Bankruptcy.	1.70 195.00/hr	331.50
10/3/2014	RVG Loan Servicing Reviewed & discussed with legal counsel (C. Hopkin) re: 3 AM LLC's Motion To Opposed Receiver's Motion to Dismiss Debtor's Bankruptcy For Bad Faith Filing/Prohibit Debtor To Use Cash Collateral. Follow up discussion & Initial Prep Talk on Testimony as Custodian of Records re: 3 AM LLC's Bankruptcy/Foreclosure proceedings.	1.70 195.00/hr	331.50
10/6/2014	RVG Loan Servicing Received, reviewed, discussed & conferred with legal counsel (C. Hopkin) at length re: 3 AM LLC's Opposition Reply to Receiver's Motion to Dismiss Debtor's Bankruptcy on Bad Faith Filing/Failure to Make the Adequate Payments per the Stipulation Agreement/Motion to Prohibit Debtor to Use Cash Collateral.	1.40 195.00/hr	273.00
10/7/2014	RVG Loan Servicing Conferred & discussed with legal counsel (C. Hopkin) at length re: 3 AM LLC's 341-A Hearing/Debtor's, Reply/Response to Motion to Dismiss Debtor's Bankruptcy 7, Prohibit Debtor to Use Cash Collateral.	0.90 195.00/hr	175.50
10/8/2014	RVG Loan Servicing Reviewed, discussed & conferred with legal counsel (C. Hopkin) & Jerod Byrd (Appraiser) re: Prep Outline/Direct Examination of Jerod Byrd (Appraiser)/Rafael Garcia's Prep Outline Exam as Custodian of Records on 3 AM LLC's Motion to Dismiss Debtor's Bankruptcy; Telephone conference with legal counsel (C. Hopkin) & D. Morgan (Foreclosure Trustee) re: Re-publication of 3 AM LLC's Unified Foreclosure Sale.	1.20 195.00/hr	234.00
10/9/2014	RVG Loan Servicing Reviewed & discussed with legal counsel (C. Hopkin) HVS Consulting & Valuation Services's Engagement Proposal Letter as Witness re: 3 AM LLC's Receiver's Motion to Dismiss Debtor's Bankruptcy/Prohibit Debtor from Use of Cash Collateral; Telephone conference with legal counsel (C. Hopkin)/Jerod Byrd (Appraiser) re: Appraiser's Testimony Verifying the Authenticity of the Appraisal Report on 3 AM LLC's; Sent Witness Fees to HVS Consulting attn: Jerod Byrd, Appraiser re: 3 AM LLC's Motion to Dismiss Debtor's Bankruptcy.	1.40 195.00/hr	273.00
10/10/2014	RVG Loan Servicing Followed up email/phone call to J. Cozart (Private Wealth Bank) copied C. Hopkin (Atty) re: 3 AM LLC's purchase of Note/Trust Deed. Discussed & conferred with legal counsel (C. Hopkin) re: 3 AM LLC's	1.80 195.00/hr	351.00

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		<u>Hrs/Rate</u>	<u>Amount</u>
	341-A Hearing Results, Borrowers-Debtor's Lender's Financing & Publication of Foreclosure Sale Date. Reviewed, discussed, prep with legal counsel (C. Hopkin) re: Direct Examination Testimony Outline of Rafael Garcia.		
10/13/2014	RVG Loan Servicing Responded & discussed with Justin Cozart (Private Wealth Bank) re: Purchase of Note/Deed of Trust on 3 AM LLC's; Reviewed, discussed & conferred with legal counsel (C. Hopkin) at length re: Outlined Direct Examination/Testimony as Custodian of Records on 3 AM LLC's Motion to Dismiss Bankruptcy/Prohibit Borrower from Use of Cash Collateral.	1.90 195.00/hr	370.50
10/14/2014	RVG Loan Servicing 13.20 hours spent traveling to Baltimore, Maryland to attend and testify at the bankruptcy hearing re 3AM LLC. (Half-pay travel time).	6.60 195.00/hr	1,287.00
	RVG Loan Servicing Met with legal counsel, C. Hopkin, and appraiser, J. Byrd, re 3AM LLC bankruptcy dismissal hearing. Debriefed by legal counsel on the upcoming court proceedings and testimony. Preliminary review of questions being asked by C. Hopkin and responses by J. Byrd & myself.	2.40 195.00/hr	468.00
10/15/2014	RVG Loan Servicing Attended the bankruptcy dismissal court hearing for 3AM LLC with legal counsel, C. Hopkin, J. Byrd (Appraiser) & A. Hou (SBA Attorney), along with the US Trustee, Lee Barnhill. Gave testimony to demonstrate legality of foreclosure, enforce lender's rights, and produced documents showing proper notification sent to borrower. Bankruptcy was dismissed and foreclosure auction is set for December 1st.	4.60 195.00/hr	897.00
	RVG Loan Servicing Responded to followed up emails/phone calls & discussed outcome of 3AM LLC's bankruptcy hearing with S. Park (SBA), J. Cozart (Private Wealth Bank) & A. Cooper (auctioneer). Additionally, discussed purchase of 3AM's note/trust deed and upcoming foreclosure auction/receivership-management of hotel w/ M. Williams.	1.40 195.00/hr	273.00
10/16/2014	RVG Loan Servicing 12.10 hours spent traveling From Baltimore, Maryland to Orange County, California re: Attended and testified at the bankruptcy hearing re 3AM LLC; Met with the SBA in Washington DC re: Sale of SB Capital's 504 FMLP/7(a) loan portfolio. (Half-pay travel time).	6.10 195.00/hr	1,189.50
	RVG Loan Servicing Reviewed/forwarded copies of legal documents to S. Park/A. Hou (SBA Loan Specialist/Attorney) re: 3 AM LLC's Court Order to Dismiss Debtor's Bankruptcy. Telephone conference with legal counsel (C. Hopkin) & D. Morgan & discussed at length re; Republication of Sale Date on 3 AM LLC's Foreclosure Sale. Responded & confirmed meeting w/ Thomas Seaman & J. Cozart (Wealth Private Bank) re:	2.30 195.00/hr	448.50

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		<u>Hrs/Rate</u>	<u>Amount</u>
	Purchase of Note/Trust Deed on 3 AM LLC by virtue of an assignment.		
10/17/2014	RVG Loan Servicing Received & reviewed the Entered Final Order to Dismiss Debtor's Bankruptcy from legal counsel (C. Hopkin) re: 3 AM LLC. Received & reviewed the Confidentiality Agreement from legal counsel (C. Hopkin) re: 3 AM LLC's Note/Trust Deed's Purchase by virtue of an assignment. Telephone conference with legal counsel (C. Hopkin), D.Morgan (Foreclosure Trustee) & M. Williams (Management/Receiver) re: Proposed Foreclosure Date/Appointed Receiver on 3 AM LLC.	2.40 195.00/hr	468.00
10/20/2014	RVG Loan Servicing Forwarded & provided Thomas Seaman (receiver) re: Payoff Summary on 3 AM LLC in preparation for a meeting with potential Note/Trust Deed purchaser. Responded & discussed with P. Singh (Investor) phone call messages re: 3 AM LLC's Purchase of the Note/Trust Deed. Requested from legal counsel (C. Hopkin) re: Confidentiality Agreement on 3 AM LLC.	1.00 195.00/hr	195.00
	RVG Loan Servicing Met with J. Cozart (Investor) and Thomas Seaman (Receiver) re: 3 AM LLC's Payoff Summary for purchase of Note, deed of trust discussion/negotiation.	0.60 195.00/hr	117.00
10/21/2014	RVG Loan Servicing Responded & informed Steve Park (SBA) copied Thomas Seaman re: 3 AM LLC's Bankruptcy Dismissal, republication of new Sale Date/credit bid & potential sale of Note/Trust Deed to two investors. Received follow up phone call from Alpesh Patel (borrower) re: 3 AM LLC's Foreclosure Sale & Sale of Note/Trust Deed to two potential purchasers. Telephone conference with legal counsel (C. Hopkin) & Foreclosure Trustee (D. Morgan) re: Confirmation of the new republished Foreclosure Sale Date on 3 AM LLC.	1.70 195.00/hr	331.50
10/22/2014	RVG Loan Servicing Reviewed & discussed with legal counsel (C. Hopkin) & D. Morgan (Trustee) re: Final Version of Notice of Trustee's Sale on 3 AM LLC. Followed up email to Thomas Seaman (receiver) re: meeting with another potential purchaser of the Note/Trust Deed on 3 AM LLC.	0.90 195.00/hr	175.50
	RVG Loan Servicing Met with Matthew F. & discussed Servicing/Liquidation issues re: SB Capital Loan Portfolio.	0.60 195.00/hr	117.00
10/23/2014	RVG Loan Servicing Discussed with potential 2nd Investor D. Sarani/A. Samani re: Purchase of Note/Trust Deed w/o SBA's Guarantee on 3 AM LLC. Requested and discussed with legal counsel (C. Hopkin) re: Confidentiality Agreement/potential conflict/connivance between Investor/Borrower. Reviewed & forwarded to Investor (Sarani/Samani) re: Execution of the Confidentiality Agreement to Purchase Note/Trust	1.70 195.00/hr	331.50

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		<u>Hrs/Rate</u>	<u>Amount</u>
	Deed on 3 AM LLC.		
10/24/2014	RVG Loan Servicing Reviewed, replied & responded to Amir Samani (Investor) followed up email re: Meeting on Purchase of the Note/Trust Deed & Execution of the Confidentiality Agreement on 3 AM LLC; Met with A. Samani (Investor) to discussed at length re: Purchase of the Note/Trust Deed on 3 AM LLC & other Notes for sale.	1.40 195.00/hr	273.00
10/27/2014	RVG Loan Servicing Follow up phone call to potential purchasers/investors (A. Amani/J. Cozart) re: Purchase of the Note/Trust Deed prior to foreclosure sale on 3 AM LLC. Telephone conference with legal counsel (C. Hopkin), M. Williams (Mangn't/Receiver) & D. Morgan (Foreclosure Trustee) re: Final Notice of Trustee's Sale/Appointment of Receiver on 3 AM LLC.	1.20 195.00/hr	234.00
10/29/2014	RVG Loan Servicing Reviewed & concurred with legal counsel (C. Hopkin) & D. Morgan (Foreclosure Trustee) re: 3 AM LLC's Publication Newspaper Proof/Unified Sale (Terms/Conditions).	0.90 195.00/hr	175.50
	RVG Loan Servicing Prepared & finalized letter to Leticia Luna (borrower) re: Technical Default Demand Letter (Un-sanctioned sale of business/assets).	0.50 195.00/hr	97.50
10/30/2014	RVG Loan Servicing Met with Kristen J. & Matthew F. re: Existing servicing/liquidation issues on SBC's Loan Portfolio.	0.80 195.00/hr	156.00
10/10/2014	TAS Loan Servicing Confer with Rafael re 3 AM bankruptcy, motion to dismiss, sale of note, SBA guarantee, costs of collections, potential sale of note.	0.40 375.00/hr	150.00
10/15/2014	TAS Loan Servicing Telephone call with Rafael re hearing to dismiss 3-AM bankruptcy.	0.30 375.00/hr	112.50
	TAS Loan Servicing Confer with Kristen re October late payers, direct re same.	0.30 375.00/hr	112.50
10/16/2014	TAS Loan Servicing Confer regarding 3-AM situation, potential bidder vs. take out lender, may request discount, confer re need for full pay off.	0.30 375.00/hr	112.50
10/17/2014	TAS Loan Servicing Confer with Rafael re 3-AM possible take out lender, debtor's testimony at hearing.	0.30 375.00/hr	112.50
10/20/2014	TAS Loan Servicing Meeting with party interested in purchase of 3-AM loan.	0.60 375.00/hr	225.00

Thomas Seaman, Receiver for SBC

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		<u>Hrs/Rate</u>	<u>Amount</u>
10/7/2014	TM Loan Servicing Received renewal cert for Intervention 911. Called to confirm renewal with agent, made pdf and copy. Filed in doc files.	0.30 175.00/hr	52.50
10/13/2014	TM Loan Servicing Received revised insurance info re flood insurance for Edge. Updated spreadsheet, made pdf, copy, filed.	0.20 175.00/hr	35.00
10/20/2014	TM Loan Servicing Email to agent for Pham re need for immediate certs re prop and liability.	0.10 175.00/hr	17.50
	TM Loan Servicing Email to agent for AutoSpa re need for revised address of mortgagee. Received Evidence, email for liability portion, as well.	0.30 175.00/hr	52.50
	TM Loan Servicing Email to agent for Luna re need for renewed evidence and certificates. AutoSpa re need for revised address of mortgagee.	0.20 175.00/hr	35.00
	TM Loan Servicing Review of borrower insurance requirements and updated spreadsheets re same.	0.20 175.00/hr	35.00
	TM Loan Servicing Received notice of cancellation for insurance non-renewal for Airport Blvd. Call to agent to determine issues. Notified Rafael.	0.30 175.00/hr	52.50
10/21/2014	TM Loan Servicing Emails and calls to agent for Pham re property and liability insurance. Received prop evidence.	0.30 175.00/hr	52.50
	TM Loan Servicing Emails to and from agent for Luna re ranking of trust deed. Looked up items in doc files, made pdf and sent to agent.	0.30 175.00/hr	52.50
	TM Loan Servicing Email from agent for Autospa.	0.10 175.00/hr	17.50
10/22/2014	TM Loan Servicing Filed incoming insurance papers into doc files.	0.20 175.00/hr	35.00
10/23/2014	TM Loan Servicing Removed two loans from insurance spreadsheet after confirmation of loans either being sold or closed.	0.10 175.00/hr	17.50
10/24/2014	TM Loan Servicing Sent insurance request to agent for Luna.	0.10 175.00/hr	17.50
10/27/2014	TM Loan Servicing Call to agent for Luna re immediate need for certs and status of insurance. LM. Sent email re same. Follow up calls but no voicemail	0.20 175.00/hr	35.00

Thomas Seaman, Receiver for SBC

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		<u>Hrs/Rate</u>	<u>Amount</u>
	available.		
10/28/2014	TM Loan Servicing Sent renewed request for Auto Spa insurance certs. Received renewed Declarations page, updated spreadsheet, made pdf, copy and filed in doc files.	0.30 175.00/hr	52.50
	TM Loan Servicing Calls to agent for Luna. Received faxed Prop Evidence. Called and LM for Liability Insurance Cert. Made pdf of Prop Evid, updated spreadsheet. Calls to agent re liability as their fax line kept calling my phone line.	0.40 175.00/hr	70.00
	TM Loan Servicing Received updated declarations for 8098 Professional. Updated spreadsheet, made pdf and filed in doc files.	0.30 175.00/hr	52.50
	TM Loan Servicing Received liability cert for vendor of environmental services. Updated master insurance spreadsheet.	0.20 175.00/hr	35.00
10/29/2014	TM Loan Servicing Received and filed insurance docs in doc files. Updates to spreadsheet.	0.30 175.00/hr	52.50
10/30/2014	TM Loan Servicing Received insurance docs on closed loan.	0.10 175.00/hr	17.50
SUBTOTAL:		[186.60	25,438.50]
For professional services rendered		186.60	\$25,438.50
Balance due			<u>\$25,438.50</u>

PROOF OF SERVICE

I am employed in the County of San Diego, State of California. I am over the age of eighteen (18) and am not a party to this action. My business address is 501 West Broadway, 15th Floor, San Diego, California 92101-3541.

On November 20, 2014, I served the within document(s) described as:

➤ **RECEIVER'S ADMINISTRATIVE MOTION FOR PAYMENT OF LOAN
SERVICING COSTS FOR OCTOBER 2014**

on the interested parties in this action by:

☐ **BY MAIL:** I placed a true and correct copy of the document in a sealed envelope or package addressed as indicated below on the above mentioned date in San Diego, California for collection and mailing pursuant to the firm's ordinary business practice. I am familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

☒ **BY OVERNIGHT DELIVERY:** I deposited in a box or other facility regularly maintained by an overnight courier service, or delivered to a courier or driver authorized by said express service carrier to receive documents, a true copy of the foregoing document(s) in sealed envelopes or packages designated by the express service carrier, addressed as indicated in the attached service list on the above-mentioned date, with fees for overnight delivery paid or provided for.

Mark Feathers
1520 Grant Road
Los Altos, California 94024

Pro Se Defendant

Tel: (650) 776-2496
Fax: (650) 961-2382
Email: markfeathers@sbcglobal.net

☐ **BY E-MAIL OR ELECTRONIC TRANSMISSION:** I caused a true copy of the document to be sent to the persons at the corresponding electronic address as indicated herein on the above-mentioned date.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on November 20, 2014, at San Diego, California.

Ted Fates
(Type or print name)

/s/ Ted Fates
(Signature of Declarant)